

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE: WAREHOUSE 86, LLC
DEBTOR

CASE NO. 08-03423 ee
CHAPTER 7

TRUSTEE'S OBJECTION TO CLAIM

Chapter 7 Trustee, Kimberly R. Lentz, files this Trustee's Objection to Claim pursuant to Rule 3001 of the *Federal Rules of Bankruptcy Proceedings* and Rule 3007-1 of the *Uniform Local Rules* and states as follows:

1. Warehouse 86, LLC ("Debtor") filed for relief under Chapter 11 of the *Bankruptcy Code* on November 4, 2008. On December 3, 2010, the case was converted to a Chapter 7 proceeding. Kimberly R. Lentz is the Chapter 7 trustee ("Trustee") of the bankruptcy estate of the Debtor.

2. This Court has jurisdiction over this matter pursuant 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

3. **(FIRST INS FUNDING CORP. - CLAIM NO. 21-1)** The Trustee objects to Claim No. 21-1 filed by First Ins Funding Corp. in the amount of \$4,225.68. Pursuant to Docket Entry 31, Order Granting Motion for Authority to Pay Post-Petition Installments on Insurance policies Necessary to Maintain Insurance Coverage, the Chapter 11 Debtor was authorized "...to pay, as the Debtor deems necessary, any and all insurance premiums, payments with respect to premiums that are or will become due under the Policies, including any such premiums or payments with respect to financed premiums that may have accrued or become due in part prior to the filing of the Debtor's Petition" (Order Section 6). Upon information and belief, Claim No. 21-1 was satisfied during the Chapter 11 case. The Debtor's Monthly Operating Deposits reflect payments to First Insurance

Funding. Accordingly, the Trustee requests that Claim No. 21-1 be disallowed as a general unsecured claim.

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth above, the Trustee requests that this Court disallow Claim No. 21-1 filed by First Ins Funding Corp. in the amount of \$4,225.68 and the Trustee requests any additional relief that may be just.

Respectfully submitted,
KIMBERLY R. LENTZ, TRUSTEE

By: /s/ Kimberly R. Lentz
KIMBERLY R. LENTZ, (BAR NO. 8986)

Of Counsel:
Lentz & Little, PA
Post Office Box 927
Gulfport, Mississippi 39502
Telephone (228) 867-6050
Facsimile (228) 867-6077

CERTIFICATE OF SERVICE

I, KIMBERLY R. LENTZ, do hereby certify that the following have been served electronically via ECF with a copy of the foregoing document:

United States Trustee : USTPRegion05.JA.ECF@usdoj.gov
Christopher R. Maddux, Attorney for Debtor: chris.maddux@butlersnow.com
John A. Crawford, Jr., Attorney for Debtor: jack.crawford@butlersnow.com
Stephen W. Rosenblatt, Attorney for Debtor: Steve.Rosenblatt@butlersnow.com

I further certify that the following have been served with a copy of the foregoing document by U.S. mail, postage prepaid.

Warehouse 86, LLC.
Post Office Box 16692
Jackson, MS 39236

First Ins Funding Corp.
450 Skokie Blvd., Ste 1000
Northbrook, IL 60065

This the 13th day of July, 2011.

/s/ Kimberly R. Lentz
KIMBERLY R. LENTZ